U.S. PATENT OFFICE

Vindication of the Agricultural division. of the Patent office. c1858.

VINDICATION

OF THE

Agricultural Dibision of the Patent Office.

From the Washington Union.

We publish in its appropriate place this morning, a correspondence between the chairman of the Committee of Agriculture of the House of Representatives and the Commissioner of Patents, upon the agricultural division of that office, its operations and usefulness, and the qualifications of the gentleman to whom its administration is intrusted. The reader of the correspondence will be satisfied of the competency of that officer, and will conclude at once that the vague assaults which have occasionally been made upon the office are destitute of foundation—assaults from which we have not thought it necessary to enter upon its special vindication.

CORRESPONDENCE, &c.

The following is an extract from the report of the Committee on Claims in the Senate of the United States, to whom was recently referred the memorial of Mr. Browne, asking for an equalization of salary, &c.:

"The committee are satisfied, from the evidence in the case, that Mr. Browne has rendered laborious and valuable services in his department—more, much more, than he was called on to perform by the obligations of his office; and he deserves great credit for the assiduity and ability with which he has managed the office under his charge. His salary for several years was unequal to the service performed, owing to the want of funds out of which to pay the proper amount. * * * The committee are satisfied that the department ought either to enlarge Mr. Browne's salary or make up his back pay equal to the highest salary paid in any of the departments for a similar grade of service. This claim for back pay or enlarged salary is strengthened by the fact that much of Mr. Browne's time, out of office hours, has been devoted to the superintendence of the publication of the Patent Office Report, a labor which he was not necessarily obliged to perform, but which a laudable pride and praiseworthy interest in the matter induced him to volunteer and discharge, and which could not, probably, have been so well performed by any other person. The committee have no hesitation in commending the case and claims of Mr. Browne to the most favorable consideration of the Department of the Interior."

[*Doc. No.* 230, *Rep. Com.* 35*th Cong.* 1*st sess.*, *Senate.*

AGRICULTURAL COMMITTEE ROOM, OF
HOUSE OF REPRESENTATIVES, JUNE 2, 1858.

SIR: A communication has recently been received by the Committee on Agriculture from Captain A. A. Gibson, of the United States army, implying that, for some months past, a series of assaults has been made on the Patent Office in several newspapers, and especially on Mr. D. J. BROWNE, the conductor of the agricultural division of that office, and expressing a desire that this committee should present to the public, through some appropriate channel, a statement in regard to the truth or falsity of the allegations herein referred to.

Believing the present system adopted by Congress of encouraging agriculture to be of great utility and importance to the country, and that any abuses or mismanagement on the part of those to whom its administration is intrusted should be corrrected, in order to ensure public confidence and the fullest measure of success, the committee beg leave to request that you will furnish them with any information at your command on the following points:

1. Have agents been sent annually to Europe by the Patent Office at public expense; and, if so, for what objects?

2. Did the seeds obtained from Europe generally exist in this country prior to the time of their importation, or were they selected with a view to the wants and economy of the farmers of the United States?

3. Could you suggest a more feasible plan for distributing the seeds, cuttings, &c. obtained by the Patent Office than the mode practiced heretofore?

4. From the knowledge in your possession are you convinced that the Agricultural Reports of the Patent Office have been prepared in a manner that would render them useful and acceptable to the public?

5. What was the history, experience, or acquirements of Mr. Browne previous to his entering into his present official station?

I have the honor to be, very respectfully, your obedient servant, WILLIAM G. WHITELEY,
Chairman

Hon. JOSEPH HOLT,
Commissioner of Patents.

UNITED STATES PATENT OFFICE,
June 5, 1858.

SIR: In reply to your communication of the 4th instant, requesting information in regard to certain allegations against this office, herewith I have the honor to transmit the following statement, which is based on testimony contained in this Department, and on knowledge derived from persons connected therewith:

In answer to the first query, I would reply that agents have not been annually sent to Europe by this office, and the only instances in which expenses have been incurred in this manner were by Mr. Browne in 1854 and 1855, for purposes hereinafter mentioned, and Mr. Claiborne, in 1857, "to collect and report information in relation to the consumption of cotton."

In answer to the second query, I would state that the seeds, cuttings, &c. which have been procured by the office have been obtained from reliable sources, mostly in Europe and this country, at wholesale prices, the selections having generally been made with discrimination and with reference to their adaptation to our wants and economy, while due diligence and skill have been used in their transportation, preservation, and distribu

tion. Large portions of these selections have been successfully cultivated in various parts of the United States, increasing the products of the farms and gardens, and enhancing the comforts, luxuries, and wealth of the people. In consequence of this a new field of enterprise has been created, more than two hundred seed stores established in the interior, and the demands for approved seeds of various kinds, foreign and domestic, have been fully doubled within the last four years. Among those imported might be mentioned a few the culture of which has been extended, and bids fair to add untold millions to the future wealth of the country. Although it is admitted that many of these seeds or varieties analogous were known to the seedsmen of some of our larger cities, there existed no small portion of the inhabitants of the United States who, from the remoteness of these establishments, were deprived of their benefits; and there were thousands of cases in which they had no knowledge of such seeds before. Through this bounty of Government, with the privilege of transmitting these seeds free by mail, they soon found their way to the most distant homesteads of the frontiers.

With regard to the importation of seeds from Europe, the office has been actuated by the same principles as seedsmen. They can usually be purchased there in larger quantities, on better terms, and in many cases superior in quality. Those of the Brassica tribes, for instance—such as cabbages, turnips, &c., grown in the cool moist climates of the north of Europe, in the absence of the hot scorching suns and numerous insects which, in other countries, affect the stalks and leaves of these plants—can be raised at a cheaper rate and better quality than can be done in the older settled parts of the United States; and besides all varieties that are liable to be affected by cross fecundation are cultivated at a distance from one another, and even plants of American origin have been improved by careful management. Similar reasons could be advanced in favor of peas, [illegible]

In reply to the inquiry concerning a more feasible plan of distribution, it is obvious that change is desirable. It may not generally be known that the apartments in the Patent Office in which the labor of packing the seeds has been performed were, perhaps unavoidably, for several years, accessible to many persons other than those properly engaged therein—indeed to the public; and that the Commissioner's frank, in some instances, was obtained and used for carrying through the mails seeds not selected by the office. From lack of knowledge on the subject, or through inadvertence, individuals were liable to send out seeds at inappropriate seasons, or to localities to which they were not adapted, and cases have been known in which franks were used to cover seeds procured from other sources; while there is cause to suspect that in some instances frauds were practised with a view of throwing discredit upon the office. During the past winter and spring, however, a salutary reform has been realized in these particulars. The rooms in which the operative force has been employed have been entirely private; the work of packing and distributing has been executed under the supervision of a responsible clerk, assisted by men of intelligence and experience; and to avoid mistakes seeds of only one variety have been opened at a time for putting up. In short, the utmost care has been exercised to secure accuracy, justice, and dispatch in these important duties.

It has long been the opinion of the chief manager of this division that these seeds, cuttings, &c. should be distributed, when practicable, throughout the country in larger quantities than has been the case heretofore, and to competent and responsible parties, such as agricultural societies, county clerks, seed growers, nurserymen, &c., the most appropriate agencies, he conceives, for the execution of the implied trust. In cases where the societies might not find it convenient to make these tests upon a large scale, they might at least be able to make distributions among their members, offering prizes for successful competition, and requiring a report from each, in demonstration of the utility or inappropriateness of the objects of experiment. The early and accurate information thus afforded to seedsmen and others interested would doubtless be of value. In order to facilitate the transmission of the packages by the societies to their members, he recommends that to each parcel should be attached a suitable stamp, furnished by the General Post Office, which would allow it to pass free from any post office within the territory of the United States by a single carriage, only subject to be cancelled or checked by the postmasters, in the same manner as adopted at present on letter stamps.

In reply to the query in relation to the manner in which the agricultural reports of the Patent Office have been prepared, I deem it only necessary to say that, from the eagerness with which they have been sought, and the unanimity of the verdict, not only of the American people, but of the civilized world, in their favor, no doubt can exist in relation to their usefulness or acceptability. No series of documents, indeed, have ever emanated from the Government which have been more highly prized. They are well approved repositories of useful facts peculiarly suggestive in their character, and prepared with great care, assiduity, and acknowledged ability.

The fifth interrogatory renders necessary a recital which nothing less than your expressed wish or justice to a meritorious public officer could make pertinent in this connexion; but since it appears to be important that information should be given in regard to the fitness of Mr. Browne for his present position, I shall present a condensed account which I need only say is based upon authoritative and reliable data, and attested by persons who have been cognizant of his career, showing that he has served a regular *apprenticeship*, or course of prepara[illegible] present vocation would seem to require.

In 1822, at the age of eighteen, we find him in charge of the chief operations of the dairy-farm, containing more than fifty cows, of General Thomas Taylor, in Quincy, Massachusetts, which required his attention and supervision from half past two o'clock in the morning until the closing in of the evening, and often even until ten at night, seeing that the milk was properly gauged, registered, and made ready for market; and he also participated in the general labors of the establishment, which was conducted upon the most scientific principles of that day. Previous to this period his theatre of action had been mainly confined to the homestead of his father, in New Hampshire, where he had pursued the course of labor common to that region. In the spring and summer of the following year we recognise him with Mr. Daniel Burnham, of Newburyport, engaged in cultivating garden vegetables and seeds upon an extensive scale.

The seven succeeding years appear to have been chiefly devoted to the acquirement of his academic education. During most of this period he was either studying or employed in teaching, yet making brief excursions at intervals in several of the Atlantic States, with a view of learning some of their natural features, internal improvements, farm operations, &c. In 1831–'32 we find him located in Boston, editing a monthly publication called "The Naturalist," and at the same time pursuing the study of the Romanic languages under Professor Bachi, of Harvard University, and comparative anatomy under the [illegible]guished Drs. Spurzheim and Warren. In the winter of 1832–'33 we meet with him on a cruise in the United States ship Vandalia, in the West Indies, in the capacity of a naturalist, passing most of his time on the island of Cuba and the Florida Keys. While in Cuba he resided for several weeks in the coffee and sugar plantations, where he carefully studied their economy and management. In the September following we discover

him on the peak of Teneriffe, whither he was sent on a private expedition to study the climate and seasons of that mountain at different altitudes, and to witness the effects thereof on vegetation, as well as to determine the heights of various points by instrumental measurement, the results of which will be found in his "Letters from the Canary Islands," giving a detailed account of his excursions, and the natural features, resources, history, and social condition of those islands. We next meet with him in the Merino sheep-walks of the south of Spain, where he elicited from the shepherds important information concerning the management of their flocks; and again in the Huerta of Alicante, a rich valley noted for containing the varied productions which flourish to the best advantage in the south of that peninsula, acquiring additional information in regard to the different systems of agriculture as practiced by the Carthagenians, Romans, and Moors. After visiting the Baleares and the south of France, he again makes his appearance on the Island of Sicily, investigating its productions. Towards the close of 1834 we find him attached to the ship-of-war Erie, on her passage to Rio de Janeiro, provided with meteorological and other instruments, making physical observations, and touching at Madeira and the Cape Verdes, an account of which is published in the American Journal of Science in 1836. Later in the season we again meet with him on a cruise in the same ship up the Rio de la Plata, tarrying at Montevideo and Buenos Ayres, and making several journeys inland, which afforded him ample opportunities for observation. In the early part of 1835 we follow him to the tea plantations near Rio, to the cotton fields of Pernambuco, and to the sugar estates of Bahia, indefatigably pursuing his researches there. In April of the same year we again fall in with him on shipboard, with a collection of tropical trees, plants, and seeds, which he obtained in the last-named province, on their way to Drayton Island, Lake George, St. John's river, in Florida, by way of New York, for the late Mr. Z. Kingsley, then proprietor of that island. In the December following we observe him with interest before a committee of the Massachusetts Legislature, in the capacity of a civil engineer, with the plans and estimates of his own making, advocating the claims of a wealthy company for constructing a railroad between Boston and Newburyport. During the summer and autumn of 1836 we find him surveying and sounding a portion of the river Niagara, preparatory to making a chart of it and the adjacent shores for the East Boston Timber Company. In the winter following he is engaged in the laboratory of Dr. Jackson, in Boston, prosecuting certain inquiries in geology and agricultural chemistry. During the spring, summer, and autumn of 1837 he again attracts our attention on the Niagara, making surveys for the same company, experimenting with bone-earth taken from an ancient tumulus on Tonawanda Island, and testing its efficacy in the production of turnips. The two years following he was employed by the State of New York as resident engineer on the western division of the Erie canal enlargement. While thus occupied he aided in perfecting the plan for constructing the double combined canal locks at Lockport, drained some thousand acres of overflowed lands by dyking the banks of the Tonawanda and Ellicott creeks, conducting the accumulated waters of the adjacent farms into the Niagara by opening large drains. In connexion with these duties it became necessary to construct a large well-culvert under the Erie canal, and to rebuild and extend, in midwinter, the dam across Tonawanda creek. The drainage of these lands has been regarded, in an agricultural point of view, as the most important work of the kind ever performed in that State. The greater part of 1840 we notice him at Schenectady, employed by the Prussian Government to report on the railroads of the United States. During the following winter and spring he is occupied in preparing for several bankers in New York a series of tables for facilitating the computation of interest, exchanges, annuities, &c.; also in contributing several articles on the currency, the tariff, and other subjects connected with political economy to the Merchants' Magazine. For a year preceding July, 1842, we again meet him in Brooklyn, as an engineer in constructing the Atlantic Dock. During another year we find him on the Island of Cuba pursuing the same profession, making a railroad and perfecting the plan for a large ingenio, (steam sugar mill;) also experimenting in sugar boiling, with the view of determining the most economical agent for absorbing the free acids in the cane juice, and studying the properties and uses of the native trees, the habits and economy of the honey bee and the effects of the climate on the domestic animals and exotic plants. For the next two years he was engaged in the preparation of his treatise on the "Trees of America," making several journeys through Massachusetts, New York, and other States, visiting gardens, nurseries, and celebrated trees, as well as dock-yards, manufactories, and other places where timber is wrought, to obtain minute information for enriching his work. Within this period he served as a member of the Board of Agriculture of the American Institute of New York, and also as corresponding secretary of the American Agricultural Association. Towards the close of 1845 we find him independently relinquishing the post of resident engineer on the Northern railroad, in New Hampshire, on the ground that, if the road were built on the route insisted upon by the directors, it would prove disastrous to the stockholders—a position he was justified in, and which was confirmed by the result. For nearly six years preceding the autumn of 1851 we meet with him in the large agricultural warehouse at present conducted by Messrs. R. L. Allen & Co., in New York, performing the editorial duties of the "American Agriculturist," preparing catalogues in several languages, and attending to other business connected with the establishment, independent of which he also carried through the press several volumes treating on subjects appertaining to agriculture and rural economy. During most of the year preceding the 9th of June, 1853, when he took charge of the agricultural division of the Patent Office, we find him in the United States Census Office, chiefly occupied on agricultural statistics and in superintending the printing of the preliminary or abstract reports.

In September, 1854, and again in 1855, Mr. Browne was sent to Europe by the United States Patent Office, for the purpose of obtaining information on agricultural subjects, and for making arrangements to procure in future seeds, cuttings, &c. from the most reliable sources and upon the most advantageous terms, not only in Britain, but on the Continent, as well as from other parts of the globe. The first year, during an absence of only nine weeks, he travelled through portions of England and France visiting several of the principal seed establishments of those countries, and obtained portraits of some of the best breeds of domestic animals, with a view of illustrating the agricultural reports, and a large quantity of valuable seeds, cuttings, and tubers, the results of experiments with which, in various parts of the United States, in many cases proved highly satisfactory. On his second mission he passed through England, France, Belgium, Holland, Prussia, Hanover, Hamburg, and a portion of the Kingdom of Denmark, being absent seventy-seven days, having travelled during this fatiguing journey a thousand miles a week, visiting the principal gardens and agricultural establishments *en route*, and accomplishing the chief objects he had in view. Among those of interest which may be particularly noticed were his inspection of the "Exposition Universelle," at Paris, the "Blumistries," or flower gardens, and Haarlem Lake, in Holland, and the celebrated nurseries of Messrs. Booth & Sons, at Flottbeck, in Holstein. He also submitted in person to Baron Von Humboldt, at Potsdam, a uniform plan for obtaining meteorological information as connected with agricul-

ture in the various countries of the world, which, with slight modification, met his approval.

Hoping the information herein given may prove satisfactory in response to your inquiries, I have the honor to be, very respectfully, your obedient servant,

JOSEPH HOLT, Comm'r.

Hon. WILLIAM G. WHITELEY, Chairman of the Committee on Agriculture, U. S. House of Reps.

ROOM COMMITTEE AGRICULTURE,
HOUSE OF REPRESENTATIVES, JUNE 7, 1858.

SIR: Your letter of the 24th ultimo, addressed to me as chairman of the Committee on Agriculture, alleging that various misstatements in regard to and assaults upon the Patent Office, and especially on Mr. D. J. Browne, the head of the agricultural division of that office, have been made, and invoking from this committee some official expression in regard to the experience, practical knowledge, and fitness of Mr. Browne for the duties entrusted to him, has been laid before the committee, and I am requested to reply to you that, from the information which the committee possesses in regard to Mr. Browne, they believe that, by long experience and previous pursuits, as well as by scientific study, both practically and theoretically, he is fully qualified for the important duties committed to him, and that he has the full confidence of this committee.

I have the honor to be, very respectfully, your obedient servant, WILLIAM G. WHITELEY,

Chairman Committee on Agriculture,
House of Representatives U. S.

To Brevet Capt. A. A. GIBSON, U. S. A.
Fort Munroe, Virginia.

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